



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON D.C., 20460

OFFICE OF
PREVENTION, PESTICIDES AND TOXIC
SUBSTANCES

MEMORANDUM

SUBJECT: Draft 2008 National Program Manager (NPM) Guidance to Regions

FROM: James B. Gulliford
Assistant Administrator

TO: Regional Division Directors I-X

I am pleased to transmit the draft OPPTS FY 2008 National Program Manager Guidance. This guidance is the result of a multi-year process to align Agency, State and Tribal processes to strengthen and focus our joint strategic planning.

Overarching Program Priorities

The OPPTS guidance for 2008 represents a participatory dialogue with the Regions, States, Tribes, and other concerned stakeholders. It addresses the critical Regional activities that are directed at achieving the goals for environmental and public health protection contained in the *2006-2011 EPA Strategic Plan* (<http://www.epa.gov/ocfopage/plan/plan.htm>). Included in the Guidance are priority program areas that were identified by the Office of Pollution Prevention and Toxics (OPPT), and the Office of Pesticide Programs (OPP).

OPPT promotes the use of safer chemicals, processes, and technologies; promotes life-cycle management of environmental problems such as asbestos; advances pollution prevention through voluntary action by industry. Through the High Production Volume (HPV) Challenge program, for example, OPPT is working voluntarily with industry and others to make basic hazard data available to the public on over 2,200 chemicals used in high volume in the United States, and to identify and evaluate chemicals of particular concern to children's health. OPPT's Regional performance priorities include critical activities within lead, mercury, asbestos, and Pollution Prevention programs. OPPT's objectives and measures are found in goals 4 and 5 of the *2006-2011 EPA Strategic Plan*. Go to <http://www.epa.gov/opptintr/> for more information on OPPT.

OPP regulates the use of all pesticides in the United States and establishes maximum levels for pesticide residues in food, thereby safeguarding the nation's food supply. EPA has

expanded access to information on risk assessment and risk management actions to help increase transparency of decision-making and facilitate consultation with the public and affected stakeholders. In addition to its regulatory functions, OPP's programs include providing information and coordination on issues ranging from worker protection to prevention of misuse of pesticides. OPP participates in a variety of partnerships related to pesticide use, including the Pesticide Environmental Stewardship Program, a voluntary private and public partnership dedicated to reducing pesticide use and risk, and Integrated Pest Management (IPM) in Schools. OPP's Regional performance priorities include the issue areas of pesticides and endangered species, pesticide worker safety, the Strategic Agricultural Initiative (SAI), pesticides and water resource protection, and implementation of the Pesticide Container/Containment Rule. OPP objectives and measures are found in goal 4 of the *2006-2011 EPA Strategic Plan*. Go to <http://www.epa.gov/pesticides/> for more information on OPP.

Regional Priorities and Flexibility

As with previous years, OPPTS recognizes that cross-cutting considerations identified Regional priorities and the Tribal, Environmental Justice (EJ) and Children's Health programs should be factored into the implementation strategies for program priorities. OPPTS programs understand that the priorities highlighted in the guidance will require some flexibility in order to accommodate Regional, State, Tribal and local concerns on a region-by-region basis. We will continue to foster innovation and re-engineer the way we work together to establish common directions for our programs.

Strengthening State and Tribal Grants

EPA has worked with State and Tribal partners and other grant recipients to improve performance measures and enhance the alignment of State and Tribal grant workplan goals and measures with EPA's national performance goals and measures. These improvements have enhanced the Agency's ability to demonstrate grant results to OMB, Congress and the public. It is important that EPA and the States and Tribes build on these efforts to ensure that grant workplans meet the basic requirements necessary to facilitate the translation of grant results into the Agency's strategic and annual planning, budgeting, and accountability processes.

To further EPA's efforts in developing a standardized template for Performance Partnership Grants and other categorical grant agreements, improvements have been made to the performance measure templates for state grant workplans. These new templates are included as an Appendix to this document. This template attempts to capture the most essential measures for describing the environmental and program results associated with each of the categorical grants. Additional information on overall grants improvements and the grants management process can be found at <http://www.epa.gov/ogd>.

FY 2008 Performance Measurement and Alignment

A point of emphasis in planning that culminates in issuance of the OPPTS NPM Guidance for 2008, the program has undergone an extended and rigorous assessment of

performance measures used to evaluate progress and plan future activities. Key objectives of this effort focused on:

- Aligning national priorities with long-term directions in the *2006-2011 EPA Strategic Plan* and annual priorities in EPA's FY 2008 Annual Plan and Budget;
- Streamlining the number of reporting requirements and annual measures that the Agency uses to manage environmental progress and recognizing the set of key measures used by each management level;
- Integrating regional priorities and regional priority measures (i.e. selected regional priority measures, formerly known as eco-region measures);
- Advancing the Agency's process for developing and reporting against state grant template performance measures; and
- Enhancing collaboration within EPA and with our state and tribal partners.

The 2008 NPM guidance emphasizes alignment between performance measures that demonstrate overall program results and regional measures that are reported in the Agency's accountability system, the *Annual Commitment System* (ACS). OPPTS Regional and Headquarters programs, in partnership with States and other interested stakeholders, have made considerable progress in designing a suite of limited regional performance measures which support planning and budgeting requirements as prescribed by the Government Performance and Results Act (GPRA) and the Performance Assessment Rating Tool (PART).

The alignment of ACS measures and other Agency performance system is discussed throughout this document. A stand-alone list of FY 2008 ACS measures is contained as an Appendix to this document. Also included is an Appendix summarizing Regional and State comments on prior year measures.

Additional efforts are underway, including consideration of a tier ranking system to further prioritize measures. These should be underway by the time this guidance document is finalized in April 2007.

Of note is that FY 2008 measures and associated commitments will remain as draft until final performance agreements are reached in October 2007. A list of key milestones in reaching these agreements is attached as an Appendix to this document. Additional information on the EPA performance measurement, planning and budgeting can be found at <http://www.epa.gov/ocfopage/index.htm>. Specific information on the EPA NPM Guidance can be found at <http://www.epa.gov/ocfopage/npmguidance/index.htm>.

Conclusion

Thank you for your ongoing assistance in drafting the guidance. OPPTS remains committed to this partnership process and believes that our mutual efforts will focus and strengthen our activities in the field. I look forward to our continued collaboration on solving the many environmental challenges that we face now and in the future.

For general comments or questions, please contact either Eric Burman (202-564-0267) or Michael O'Reilly (202-564-0551). For program-specific questions you may contact Daniel Helfgott (OPP/ Field & External Affairs Division; 703-308-8054), Brian Symmes (OPPT/ Lead, Asbestos, PCB's; 202-566-1983), or Thomas Tillman (OPPT/ Pollution Prevention; 202-564-8263)

Attachments

cc: Deputy Regional Administrators
OPPTS Regional Branch Chiefs
Assistant Administrators

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Executive Summary

The OPPTS guidance for 2008 represents a participatory dialogue with the Regions, States, Tribes, and other concerned stakeholders. It addresses the critical Regional activities that are directed at achieving the goals for environmental and public health protection contained in the *2006-2011 EPA Strategic Plan* (<http://www.epa.gov/ocfopage/plan/plan.htm>). Included in the Guidance are priority program areas that were identified by the Office of Pollution Prevention and Toxics (OPPT), and the Office of Pesticide Programs (OPP).

Below are highlights from OPPT and OPP, and policy statements that extend over the more detailed programmatic discussion in the section on key program strategies and priorities.

TOXICS PROGRAM HIGHLIGHTS

LEAD

OPPT convened a meeting of National and Regional Office Lead Program managers in meeting in October 2006 which focused on six key areas: Grant formula and future resources, Renovation, Repair and Painting Program Rule Implementation, Enforcement, Federal program streamlining, Performance measures, and Tribal Strategy. As a result of these discussions, the regions provided significant input about how to meet the Lead Program's strategic goal of eliminating childhood lead poisoning as a public health concern by 2010.

Headquarters and Regional Office management proposed a combination of approaches that offer the most promise for an effective national program:

1. Ensure an adequate workforce of trained and certified lead-based paint professional;
2. Improve methods to reach communities with a high concentration of children with elevated blood-lead levels (hot spots) and population of children vulnerable to lead risks;
3. Address other gaps in the protection of children at risk for elevated blood-lead levels; and
4. Coordinate with other Federal Agencies such as Center for Disease Control (CDC) and Housing and Urban Development (HUD).

In addition to addressing these priorities, Regional Offices will in FY 2008 continue preparing for and commence implementing a key new component of the EPA's lead risk reduction regulatory framework. As a key element of our strategy to meet the 2010 goal and address a significant gap, EPA proposed the Renovation, Repair and Painting Program Rule in January 2006. This proposed requirement would reduce exposure to lead hazards created by renovation, repair, and painting activities that disturb lead based paint. The proposal establishes requirements for renovation work practices, training and certifying renovators and dust sampling technicians, certifying renovation firms, accrediting providers of renovation and dust sampling

technician training. OPPT will continue to work with Regional Office managers to identify the resources and approaches they will need to assist in implementing the requirements once they are finalized.

POLLUTION PREVENTION (P2)

OPPT and the Regional Offices operate under the 2006 P2 Program Vision and the Regional P2 Measures Guidance which are being updated in 2007. For FY 2008, the direction of the P2 Program is also influenced by lessons learned from OMB's FY 2006 assessment using the Program Assessment Rating Tool (PART), which accorded the P2 program the third highest EPA score in the five year history of the PART, associated PART Program Improvement Follow-up Action Plans under the PART, and the EPA's 2006-2011 Strategic Plan.

Through the FY2006 PART, OPPT refined its long-term and national performance measures. As a result of the FY2006 PART, all of the P2 program's streams of results contribute to the quantifiable commitments. The seven streams of results are: the Regions (collectively), Design for the Environment (DfE), Environmentally Preferable Purchasing Program (EPP), Green Chemistry, Green Suppliers Network (GSN), Pollution Prevention Resource Exchange (P2Rx), and hospitals/healthcare. Regional Office commitments towards the FY2008 national performance goals will be established through the FY 2008 Annual Commitment System (ACS) bidding process and the collective annual ACS results contribute to achieving the annual GPRA targets.

PESTICIDES PROGRAM HIGHLIGHTS

The Office of Pesticide Programs (OPP) Regional Performance Priorities for FY 2008 continue to be the same as for FY 2007, which are: (1) Pesticides and Endangered Species, (2) Pesticide Worker Safety, (3) FQPA/Strategic Agricultural Initiative (SAI), and (4) Pesticides and Water Resource Protection program. In addition for FY 2008, a new measure (5) Pesticide Container/Containment Implementation has been determined to be a priority.

These Regional priorities address the goals of the OPPTS Action Plan. Specifically, the SAI measure addresses the Partnerships and Pollution prevention goal demonstrating results through collaboration and innovation, while the Pesticide Worker Safety priority addresses the action plan goal of Ensuring Safe Pesticides.

The text of the field program measures has been revised (compared to the text in the NPM guidance for FY 2007) and now more accurately reflects the work developed through the Measures Development Process initiated in the summer of 2005. This was a collaborative process which included HQ, the Regions, and State and Tribal representatives.

REGIONAL PRIORITIES

Midwest Region (Regions 5 and 7): As a regionally-specific point of concern, the Midwest Regions support the national goal of eliminating childhood lead poisoning as a public health concern by 2010. The elimination of childhood lead poisoning is a priority for both EPA Regions 5 and 7. In 2003, based upon surveillance data from the U.S. Centers for Disease Control and Prevention (CDC), 39% of the nation's total reported cases of elevated blood lead levels (EBLLs) in children under six were identified in Region 5. Region 7 is impacted by historic and ongoing lead mining, milling, and smelting industry activities. It is home to thousands of former lead mining and smelting sites and has operating mining activities and the last lead smelter in the country. Both Regions have taken pro-active steps to support the national goal of eliminating this preventable childhood disease as a significant public health concern by 2010.

Great American West (Regions 8, 9 and 10): As a regionally-specific point of concern, the Western Regions are focusing on the national goals of the Strategic Agriculture Initiative (“Average percent change in the utilization of reduced risk pest management practices over time as determined by the SAI Transition Gradient” and “Number of SAI collaborative actions that support the sustainability of American agriculture by working with others to address pesticide risk issues of Regional and National concern.”). The SAI Transition Gradient provides a uniform and consistent tool to evaluate grower progress toward adopting a whole systems approach of integrated crop management, conservation planning and sustainable agriculture with an emphasis on long-term outcomes using quantitative measures. SAI collaboration is a critical indicator of EPA agricultural field presence and the Agency’s ability to establish and maintain cooperative, effective relationships with the agricultural community in order to improve the environment and public health in the agricultural setting.

GRANTS MANAGEMENT

Consistent with EPA’s efforts to demonstrate grant results, NPM’s and Regions, in cooperation with their State and Tribal partners, should consider developing generally acceptable core workplan components or core workplan measures that Regions and States could agree to use as a basis for developing and negotiating their workplans.

OPPTS is committed to accomplishing the grants management goals identified in the Office of Grants and Debarment’s *Grants Management Plan for 2003-2008*. The Plan highlights five grants management goals:

1. Enhance the skills of EPA personnel involved in grants management;
2. Promote competition in the award of grants;
3. Leverage technology to improve program performance;
4. Strengthen EPA oversight of grants; and
5. Support identifying and realizing environmental outcomes.

OPPTS places a high priority on effective grants management. It is OPPTS' policy that all grants comply with Federal and Agency statutes, rules, regulations and other administrative requirements applicable to grants management. Additional information on overall grants improvements and the grants management process can be found at <http://www.epa.gov/ogd/EO/finalreport.pdf>.

NEW PERFORMANCE MEASURE TEMPLATE FOR STATE AND TRIBAL GRANT WORKPLANS

EPA has worked with State and Tribal partners and other grant recipients to improve performance measures and enhance the alignment of State and Tribal grant workplan goals and measures with EPA's national performance goals and measures. These improvements have enhanced the Agency's ability to demonstrate grant results to OMB, Congress and the public. It is important that EPA and the States and Tribes build on these efforts to ensure that grant workplans meet the basic requirements necessary to facilitate the translation of grant results into the Agency's strategic and annual planning, budgeting, and accountability processes. Additional information on overall grants improvements and the grants management process can be found at <http://www.epa.gov/ogd>.

The Performance Measure Template for State and Tribal Grant Workplans for pesticide program implementation, "the number of state grant dollars per pesticide applicator certification", is included in an Appendix. There are several caveats included with this measure as footnotes to the corresponding Appendix table; however, the most important caveat is that this state grant template measure is not an efficiency measure (i.e., there is no expectation of improved efficiency unless you consider inflation and increased State costs). Also included in the Appendix is the toxics program's Performance Measure Template for State and Tribal Grant Workplans, "Annual Percentage of viable lead based paint certification applications that require less than grantee state established timeframes to process."

PROGRAM TRACKING

In addition to the automated commitment system, OPPTS programs track progress toward achieving NPM goals through a variety of teleconferences, Regional visits and National Meetings. The OPPTS Lead Region conducts a biweekly conference call to ensure ongoing dialogue between Regions and Headquarters. The OPPTS Regional Budget Workgroup provides valuable input for OPPTS' budgetary and strategic decisions. OPPTS programs also participate in ongoing dialogue with States & Tribes through a variety of groups and meetings. The OPPTS Tribal Strategic Plan has enhanced our efforts to focus the OPPTS Tribal Program resources toward achieving identified goals and strategic priorities.

PROGRAM OFFICE CONTACTS

Office of Pesticide Programs/
Field & External Affairs Division Daniel Helfgott 703-308-8054

Office of Pollution Prevention
& Toxics/ Lead, Asbestos, PCB's Brian Symmes 202-566-1983

Office of Pollution Prevention
& Toxics/Pollution Prevention Thomas Tillman 202-564-8263

Key Program Strategies and Priorities

TOXICS PROGRAM PRIORITIES

LEAD

Strategic Plan Targets

- Sub-Objective: 4.1.1 Reduce Chemical Risks. By 2011, prevent and reduce chemical risks to humans, communities, and ecosystems.
- By 2010, eliminate childhood lead poisoning as a public health concern by reducing to 0 the number of cases of children (aged 1-5 years) with elevated blood lead levels ($>10 \mu\text{g/dl}$).
- By 2010, reduce to 28% the percent difference in the geometric mean blood lead level in low income children 1-5 years old as compared to the geometric mean for non-low income children 1-5 years old.

Long-Term strategy

OPPT will pursue a range of activities aimed at meeting our strategic targets including the maintenance of a trained and certified workforce of lead-based paint professionals, and the development of methods and tools to reach vulnerable populations and communities. This includes continued administration of the State Tribal Assistance Grants (STAG) program which maintains an adequate supply of trained and certified individuals for lead-based paint activities. In addition these grants support Tribal efforts to reduce lead risks, and focus on reducing lead risks in vulnerable populations of at-risk children and communities with a high concentration of children with elevated blood-lead levels (hot spots). OPPT will continue to coordinate with other federal agencies including, Centers for Disease Control (CDC), Housing and Urban Development (HUD), Department of Justice (DOJ), and with state, local and tribal governments to reduce or prevent risks to human health and the environment posed by lead-based paint activities.

In addition, the Agency will be finalizing Renovation, Repair and Painting Program Rule. In January 2006, EPA proposed new requirements to reduce exposure to lead hazards created by renovation, repair, and painting activities that disturb lead-based paint. The proposal would establish requirements for renovation work practices and training and certifying renovators and dust sampling technicians; certifying renovation firms; and accrediting providers of renovation and dust sampling technician training. OPPT is currently reviewing public comment on the proposed rule.

Background

A key element of EPA's mission and Strategic Plan is to reduce or prevent risks to human health and the environment posed by chemical substances. In certain instances, risk-reduction efforts are targeted at specific chemicals. Foremost among these is the commitment to eliminate childhood lead poisoning as a public health concern by 2010. Since 1973, environmental lead levels have been reduced by phasing out leaded gasoline, banning the sale of lead-based paint for use in residences, and addressing other sources of exposure. As a result of these efforts, children's blood-lead levels have declined nearly 90 percent since the mid-1970s, in the United States.

In the 1990's, EPA focused on reducing children's exposure to lead in paint and dust through a regulatory framework, through federal interagency collaboration, as well as informing and educating parents, home buyers, renters, renovators and the medical community about lead prevention. The incidence of childhood lead poisoning has declined from 900,000 cases in the early 1990s to approximately 300,000 cases in 1999/2002. Additional information can be found at: <http://www.epa.gov/lead.html>.

Proposed Measures of Success

G/O/S	ACS Code	Regional Measure	Unit of Measure	Comments
4.1.1	11A	Number of active individual certifications for lead-based paint activities in the Region ¹ .	Certifications	Reporting Measure.. EPA/States/Tribes do not control this parameter to sufficiently support setting targets.
4.1.1	11B	Number of active individual certifications for lead-based paint activities in the grantee State ² .	Certifications	Reporting Measure for inventory. States do not control this parameter sufficiently to support setting targets.

¹ In the Region- This includes authorized states, non-authorized states, and tribes. Counts the number of certifications for individual lead-based paint professionals in place at a specific time instead of the number of certifications issued during FY2008.

² In the Grantee State- This is limited to authorized states.

4.1.1	13A	Annual percentage of viable ¹ lead-based paint certification applications that require less than X days ² of EPA Regional effort to process	Percent	Organizational Assessment Measure.
4.1.1	13B	Annual percentage of viable lead-based paint certification applications that require less than grantee state-established timeframes ³ to process	Percent	State Grant Template Measure.
4.1.1	12	Cumulative number of authorized state and tribal programs for lead-based paint professionals	States and Tribes	
4.1.1	21	Number of outreach partnerships addressing lead-based paint hazards and exposure reduction.	Partnerships	Partnerships must be consistent with the Regions' lead poison prevention priorities.

Proposed Principal Activities for the Regions

- 1) Implement lead-based paint risk reduction education, outreach and regulatory implementation programs in target areas with high concentrations of children with elevated blood levels.
- 2) Continue overseeing the Section 404(G) grant program to maintain a trained workforce of lead-based paint professionals in authorized states and continue operating the program in non-authorized states.
- 3) Encourage compliance assistance and outreach of the Pre-Renovation Education Rule (406) and Disclosure Rule (1018).
- 4) Promote compliance assistance for the Training and Certification Rule (402) in EPA states and coordinate with state programs, as needed, for 402 rule compliance assistance in authorized states.
- 5) Pursue opportunities for partnerships to address lead-paint based hazards and exposure reduction. An outreach partnership is defined as a collaborative, on-going project between EPA and an outside party or parties aimed at addressing lead-based paint hazards and exposure

¹ Viable- A completed application which is ready and suitable for approval, containing all requirements for certification.

² X Days- HQ is working with the Regions to define the number of days to process a certification application and will classify days as either calendar or working days

³ Grantee-state established timeframes – HQ is working with the Regions to determine the average number of working days that is takes grantee states to process certification applications.

reduction and thus reducing childhood lead poisoning. Examples include cooperative agreements, grants and memorandums of understanding.

6) Continue preparations for the Lead-Based Paint Renovation, Repair and Painting Rule pending promulgation.

MERCURY

Strategic Plan Target

- Sub-Objective: 4.1.1 Reduce Chemical Risks. By 2011, prevent and reduce chemical risks to humans, communities, and ecosystems.

OPPTS has no Strategic Targets addressing mercury. OPPTS will work to reduce mercury as a threat to human health and the environment through the implementation of *EPA's Roadmap for Mercury*.

Long-Term Strategy

In July 2006, *EPA's Roadmap for Mercury* was published, committing the Agency to a number of actions for reducing mercury in products and industrial processes. OPPT is committed to the implementation of the mercury roadmap and will pursue complementary activities. Some of these are listed below:

1. Reduce risks associated with mercury use in products and manufacturing using TSCA authorities, educational outreach and voluntary programs;
2. Implement a process involving a nonfederal stakeholder panel to discuss options and provide non-consensus input relating to addressing the expected surpluses in domestic non-federal mercury supplies.
3. Develop and maintain a database to track reductions in mercury use by key sectors and report products where mercury is still being used;
4. Promote mercury reductions in schools, including the Schools Chemicals Cleanout Campaign; and
5. Promote new voluntary partnerships to reduce existing mercury uses such as the Mercury Challenge under the National Partnership for Environmental Priorities (NPEP) Program.

OPPT has finalized a Significant New Use Rule (SNUR) which requires notification to EPA 90 days prior to US manufacture, import or processing of elemental mercury for use in convenience light switches, anti-lock braking system (ABS) switches and active ride control system switches in certain motor vehicles. This SNUR complements activities by EPA and other interested parties to seek voluntary removal of switches from existing motor vehicles before they are recycled at the end of their useful life. OPPT will continue to examine other products that

could result in additional mercury reductions through using TSCA authorities and will promote the reduction of mercury releases and exposure that may result from mercury use in consumer and commercial products.

OPPT, in coordination with other EPA programs, will continue to encourage teachers, administrators, parents, and students to communicate the importance of reducing mercury use in schools and the community. OPPT will also look at new ways to promote additional reductions in mercury use, such as through the voluntary Green Suppliers Network and through continued support for regional and state programs and partnerships. All mercury program activities will also support the Priority Chemicals goal of the Resource Conservation Challenge.

Per the Agency's commitment in *EPA's Roadmap for Mercury*, OPPT has initiated and will continue to implement a federal interagency process for examination of economic and environmental issues associated with the long-term storage of federally-owned and non-federally-owned commodity grade mercury. This federal interagency group will be working with other stakeholders such as the States, non-governmental organizations and industry to develop a panel process to inform the U.S. Government on viable options for the long-term management of non-federal domestic excess mercury.

Background

Mercury can be a potent neurotoxin and is known to bioaccumulate, notably in fish. According to the latest report from the CDC, approximately six percent of women of childbearing age had blood mercury concentrations higher than EPA's Reference Dose (RfD) primarily due to the consumption of mercury contaminated fish. In addition, people can be exposed to mercury vapor when mercury is released due to spills of elemental mercury or breakage of products that contain elemental mercury, particularly in warm or poorly-ventilated indoor spaces. Also, when mercury-containing products are discarded as waste and burned in an incinerator or smelter, the mercury can be released to the atmosphere and potentially present a hazard to human health and the environment.

EPA has taken numerous actions to reduce sources of mercury pollution to air, water, and waste through both regulatory and voluntary programs. EPA has developed its *Roadmap for Mercury* that outlines the Agency's goals and priority actions for reducing mercury pollution and exposure. Quantitative reporting by the regions for this program was begun in by other NPMs in FY 2003. OPPT is assessing opportunities for developing performance measures reflecting the contributions of OPPTS Regional Office resources towards the goals of the *Roadmap for Mercury*, and is encouraging Regional Offices to pilot such measures in FY 2008. Additional information can be found at: <http://www.epa.gov/mercury/>.

Proposed Principal Activities for the Regions

- 1) Utilize broad-based regional efforts to reduce mercury hazards in schools consistent with the *Roadmap for Mercury*.

- 2) Identify and pursue opportunities for voluntary partnerships to reduce existing mercury uses and educate people about mercury in the waste stream consistent with the *Roadmap for Mercury*, as regional resources allow. A partnership is defined as a formal or informal agreement with any organization, industry, or group in which there is an agreement to take measures to reduce mercury use or to reduce mercury in the waste stream. Examples include activities such as cooperative agreements, grants, recognition awards, educational campaigns, etc. An agreement is an understanding between two parties but not necessarily a formal agreement such as an MOU.
- 3) Develop pilot measures to address and support critical elements of *EPA's Mercury Roadmap* as regional resources allow.

ASBESTOS

Strategic Plan Target

- Sub-Objective: 4.1.1 Reduce Chemical Risks. By 2011, prevent and reduce chemical risks to humans, communities, and ecosystems.

The Agency's Strategic Plan has no specific strategic targets for asbestos. OPPTS Regional Office resources support the reduction of asbestos risks through the implementation of the Asbestos Project Plan.

Long-Term Strategy

In November 2005, EPA issued the Asbestos Project Plan, which describes EPA's current and planned actions to ensure a coordinated Agency-wide approach to identify, evaluate and reduce risks to people from asbestos exposure. The plan focuses on improving the state of the science for asbestos; identifying and addressing exposure and seeking risk reduction opportunities associated with asbestos in products, schools and buildings; and better understanding and minimizing asbestos exposures through assessment and cleanup of contaminated sites.

EPA will continue its scientific research on asbestos. The Agency will continue its outreach and technical assistance for the asbestos program for schools, in coordination with other Federal agencies, states, the National Parent-Teachers Association, and the National Education Association. EPA will also continue to provide oversight and regulatory interpretation to delegated state and local asbestos demolition and renovation programs, respond to tips and complaints regarding the Asbestos-in-Schools Rule, respond to public requests for assistance, and help asbestos training providers comply with the Model Accreditation Plan requirements.

Background

Asbestos is the name given to a number of naturally-occurring fibrous silicate materials. When microscopic bundles of asbestos fibers become airborne, they can cause a variety of adverse health effects when inhaled and embedded into the lungs. These fibers may cause serious lung diseases including: asbestosis, lung cancer, and mesothelioma.

EPA's asbestos program focuses primarily on implementing the Asbestos Hazard Emergency Response Act (AHERA), the Asbestos School Hazard Abatement Act (ASHAA), and the asbestos National Emission Standards for Hazardous Air Pollutants (NESHAP) under the Clean Air Act.

As part of its effort to address asbestos-related issues comprehensively, EPA will continue to coordinate with other federal agencies including the Occupational Safety and Health Administration (OSHA), Mine Safety and Health Administration (MSHA), National Institute for Occupational Safety and Health (NIOSH), Consumer Product Safety Commission (CPSC), Agency for Toxic Substances and Disease Registry (ATSDR), and United States Geological Survey (USGS). Quantitative reporting by the regions for this program was begun in 2003; OPPTS anticipates that the current measure will continue to be fine-tuned. Additional information can be found at: <http://www.epa.gov/asbestos/>.

Proposed Measures of Success

G/O/S	ACS Code	Regional Measure	Unit of Measure	Comment
4.1.1	15	Number of school children attending institutions reached through general toxic fibers education and outreach activities.	Children	

Proposed Principal Activities for the Regions

- 1) Maintain efforts to bring schools into Asbestos Hazard Emergency Response Act (AHERA) compliance.
- 2) Promote education and outreach efforts, especially with new materials now under development. Education and outreach can be defined by any of the following: Local Educational Authorities (LEAs), School Districts/Boards, individual schools (including charter schools), Principals, PTA's (including individual parents and teachers), maintenance workers, and individual students. This education and outreach can be accomplished through any of the following mechanisms: web products, written publications (fact sheets, booklets, reports), public meetings, conferences, exhibits, community outreach, training sessions, award programs, mass mailings (electronic or snail), and phone calls.
- 3) Work with training providers to ensure compliance with requirements.

POLLUTION PREVENTION (P2)

Strategic Plan Targets

- Sub-Objective 5.2.1 Prevent Pollution and Promote Environmental Stewardship. By 2011, reduce pollution, conserve natural resources, and improve other environmental stewardship practices while reducing costs through implementation of EPA's pollution prevention programs.

Long-Term Targets

- By 2011, reduce¹ 4.5 billion pounds of hazardous materials cumulatively compared to the 2000 baseline² of 44 million pounds reduced.
- By 2011, reduce, conserve, or offset 31.5 trillion BTUs cumulatively compared to the 2002 baseline of 0 BTUs reduced, conserved, or offset.
- By 2011, reduce water use by 19 billion gallons cumulatively compared to the 2000 baseline of 220 million gallons reduced.
- By 2011, save \$791.9 million through P2 improvements in business, institutional, and governmental costs cumulatively compared to the 2002 baseline of \$0 saved.

Annual Targets

The GPRA/PART targets are pre-established from the projections used to calculate the long-term GPRA/PART goals, and are modified only to account for budget reductions. The annual national GPRA measures and targets for FY 2008 for all seven streams of results, commit the P2 program to:

- Reduce 429.4 million pounds of hazardous materials;
- Reduce, conserve, or offset 1.217 billion BTUs;
- Reduce water use by 1.64 billion gallons; and
- Save \$45.9 million in business, institutional, and governmental costs through P2 improvements.

The annual collective Regional share of the national GPRA targets above represent the Regional stream of results for FY2008 and commits the P2 Regional program collectively to:

- Collective regional share of annual GPRA target for hazardous pounds is about 37 million pounds;
- Collective regional share of annual GPRA target for BTUs is about 561 million BTUs;
- Collective regional share of annual GPRA target for gallons is about 273 million gallons;

¹ Reduce is defined to mean reduction through P2 improvements and to include pollution avoided.

² Baselines are the reduction results of the program in the stated year, e.g., the program documented results of 44 million pounds of hazardous materials reduced in 2000, and the documented results of \$0 saved in 2002.

- Collective regional share of annual GPRA target for dollars is about \$15 M; and.
- Other Pollutants and Megawatts in ACS are reporting measure only and do not require commitments.

Long-Term Strategy

The P2 Program's Vision lays out priorities in the areas of Delivery of P2 Services, Greening Supply and Demand, and P2 Infrastructure. The Vision lays out a process for revisiting priorities at the macro-level the year the strategic plan is revised, and at the micro-level in other years. Note: The program's 2006 PART process created the stream of results terminology for program areas used below.

1) Delivery of P2 Services

This area focuses on regional P2 outreach efforts to provide P2 tools and technical assistance to stakeholders. A vital part of delivering P2 services is continuing the Pollution Prevention State Grant program. This NPM guidance reinforces the FY 2008 grant guidance which indicates a strong preference for grants that generate quantified outcome performance data. State and Tribal Assistance Grant (STAG) funds also support Pollution Prevention Resource Exchange (P2Rx), a collection of Regional centers that facilitate exchange of P2 technical assistance information between providers and customers.

The P2 Program takes credit for direct EPA and EPA partner/grantee targets under the regional stream of results. Regional Offices report results obtained from Source Reduction Assistance (SRA), Environmental Program and Management (EPM) and P2 (STAG) Grants, except in the case of results generated through the P2Rx Centers, which take credit for 10% of remaining overall State P2 Program results (i.e., non-grant results).

Draft Regional P2 Measurement Guidance was distributed by the P2 Program in FY06. Headquarters and Regions are collaborating on a revision to this guidance, which will be available in FY07 before the evaluation of FY 2008 grant applications. The revised guidance will address such issues as:

- which partnership activities to count (in the category of direct EPA and EPA partner/grantee targets, e.g., whether to count partnerships with regional media programs and voluntary programs run by other EPA offices);
- how much credit to take for various partnership efforts (in the category of direct EPA and EPA partner/grantee targets, e.g., whether amount of credit varies for state award program results according to contribution of EPA grant funding);
- planning ahead with measurement techniques;
- record-keeping; and
- using the results reporting systems, including GranTrack.

2) Greening Supply and Demand

This area focuses on increasing demand for available greener alternatives and stimulating next-generation innovation through incentives and tools. Also included in this effort are using

the supply chain as a mechanism for change and reducing potential exposure to priority chemicals.

When regions support these national efforts, their results are reported under the regional stream of results, unless otherwise noted in the measurement guidance. Most regions work on one or more priorities in these areas, including Environmentally Preferable Purchasing, Green Suppliers Network, hospitals and health care, priority and emerging chemicals such as mercury and brominated flame retardants, and schools.

Special Note: In 2006, the Hospitals for a Healthy Environment (H2E) effort made the transition from being an agency partnership to being a program run by an independent organization. While the P2 Program still counts environmental results from H2E efforts, it no longer counts the number of H2E partnerships to avoid the appearance of product endorsement.

3) P2 Infrastructure

The 2006 PART process created the name change for P2 Infrastructure (formerly P2 Integration). This area (formerly P2 Integration) focuses on measures and cross-office coordination. The measures section focuses on improving tools and systems to measure results and increase consistency in reporting results. OPPT is continuing efforts to: improve the measurement of environmental results from P2 activities, improve approaches to setting specific P2 targets, and improve the consistency across regions and headquarters in measurement and targeting, consistent with the P2 Program's PART Program Improvement Follow-Up Action Plans.

The cross office coordination section of the P2 Infrastructure area supports the Multimedia and Pollution Prevention Office Directors' Forum, conducting P2 research, and partnering with the National Pollution Prevention Roundtable. OPPT is continuing to emphasize on using P2 solutions to address program office issues. These include, air area sources, the Resource Conservation Challenge (RCC), the RCC-Federal Electronics Challenge, and the Community Action for a Renewed Environment (CARE). Also, there is an emphasis on coordination among HQ, the regional P2 Programs, and other program offices to support our own P2 Program priorities. Coordination efforts are drawn from the Delivery of P2 Services and Greening Supply and Demand, including colleges and universities, hospitals and healthcare, Green Suppliers Network, federal facilities, and coordinating with OECA on EMS reporting measure.

Background

The Pollution Prevention Act of 1990 establishes pollution prevention as a national objective and the P2 hierarchy as national policy. EPA clarifies its P2 focus through its P2 Vision. Components of the Vision include:

- P2 Vision Statement: Pollution prevention is the first choice for environmental protection.
- P2 Mission Statement: Our mission is to encourage, assist, and lead others to prevent pollution at the source – a critical step in achieving a sustainable society. We work as partners with others to integrate pollution prevention into their programs and activities. We

provide incentives to businesses, including public recognition, tools, and technical assistance. We use creativity, innovation, and voluntary collaboration to treat materials as resources not wastes.

- **P2 Focal Areas:** (1) Greening Supply and Demand, (2) Delivery of P2 Services, and (3) P2 Infrastructure. Additional information can be found at: <http://www.epa.gov/p2/>.

Proposed Measures of Success.

The Pollution Prevention Division's Regional P2 Measures Guidance will address issues such as what activities to count, what percentage of credit to take, and how to use the results reporting system. Include direct regional efforts, grantee efforts, partnership efforts, efforts from regional media and enforcement offices which make specific P2 commitments, and "greening" efforts. Do not count total State P2 Program results, as these are being handled separately.

G/O/S	ACS Code	Regional Measure *	Unit of Measure	Comments
5.2.1	264	Pounds of hazardous material ¹ reduced by P2 program participants.	Pounds	
5.2.1	263	Business, institutional and government costs reduced by P2 program participants ² .	Dollars	
5.2.1	262	Gallons of water reduced by P2 program participants.	Gallons	
5.2.1	261	BTUs ³ of energy reduced, conserved or offset by P2 program participants.	BTUs	BTUs in billions
5.2.1	261A	Annual Megawatts ⁴ of energy reduced, conserved or offset by P2 program participants.	Megawatts	Reporting Measure.
5.2.1	264A	Annual pounds of other pollutants ⁵ reduced by P2 program participants.	Pounds	Reporting Measure.

¹ Hazardous materials are any hazardous material released to air, water, land, or incorporated into products, or used in an industrial process.

² P2 program participants- Any party who produces P2 results with a link to a P2 program intervention.

³ BTUs- British Thermal Units is a unit of energy. e.g., 6,150,000,000 BTUs, should be expressed in ACS as 6.15 Billion BTUs. Conversions from BTUs to megawatts: 1 BTU=0.000000293 megawatts

⁴ Megawatts- equal to 1 million watts. Watts are the SI unit for power. Conversion from megawatts to BTUs: 1 megawatt= 0.003412141 Billions of BTUs

⁵ Other pollutants-Conversations between HQ and Regions are ongoing to clarify this definition over the upcoming months. This definition will be distributed to Regions in time for their use during the FY 08 grants award cycle.

Proposed Principal Activities of the Regions

- 1) Administer the P2 state grants program to fund state P2 technical assistance programs and regional P2Rx Centers, which assist businesses in ways that contribute significantly to the Agency being able to reach its P2 strategic targets. Identify and work with the States and EPA Headquarters to replicate successful pilots for maximum national impact.
- 2) Promote coordination with regional air, water, waste, and toxics programs to promote P2 outcomes.
- 3) As resources allow, encourage federal facilities within the regions to implement P2 projects (through implementing environmentally preferable purchasing, participating in the Federal Electronics Challenge, implementing environmental management systems, etc.).
- 4) As regional resources allow, provide direct P2 assistance to businesses.

PESTICIDES PROGRAMS PRIORITIES

PESTICIDE WORKER SAFETY PROGRAMS

(Worker Protection, Pesticide Applicator Certification & Training, and Outreach to Health Care Providers)

Strategic Plan Targets

- Through 2011, protect those occupationally exposed to pesticides by improving upon or maintaining a rate of 3.5 incidents per 100,000 potential risk events. (Baseline: There were 1,385 occupational pesticide incidents in 2003 out of 39,850,000 potential pesticide risk events/year.)
- By 2011, improve the health of those who work in or around pesticides by reaching a 50 percent targeted reduction in moderate to severe incidents for 6 acutely toxic agricultural pesticides with the highest incident rates: chlorpyrifos, diazinon, malathion, pyrethrins, 2,4-dichlorophenoxy acetic acid (2,4-D), and carbofuran. (Baselines will be determined from the Poison Control Center (PCC) Toxics Exposure Surveillance System (TESS) database for 1999-2003.)

Strategy

EPA will collaborate with States/Tribes, other federal agencies, industry groups, trade organizations, advocacy groups, community-based organizations, the regulated community and other program stakeholders in efforts to reduce the occurrence of pesticide related incidents in pesticide workers. This includes agricultural workers, private applicators (farmers) and their

family members working around pesticides, pest control operators, pesticide mixers/loaders/handlers, and the full range of other workers that may work with or around pesticides. EPA will utilize a number of mechanisms to address issues related to pesticide workers including proposing regulatory modifications, improvements and enhancements to the worker protection standard and the certification and training requirements.

EPA will also coordinate with States, Tribes to ensure that the regulated community is fully informed of the requirements in the regulations and that appropriate mechanisms are in place and utilized to ensure compliance with those requirements. Among other things, EPA will take steps to improve pesticide worker health and safety by: revising the worker protection standard and pesticide applicator certification regulations (40 CFR Parts 170 and 171), providing compliance assistance to the regulated community; developing and supporting outreach and/or education programs; supporting pesticide safety training programs; establishing community-based grant programs; developing risk-based targeting approaches; providing outreach to health care providers that treat pesticide-related illnesses; and, employing a variety of other innovative approaches to promote pesticide worker safety. The Regions will be primarily responsible for working with States and Tribes to implement our regulatory field programs, developing outreach and/or education programs to the regulated community related to worker safety, and carrying out special projects or initiatives to enhance the worker safety field program. Headquarters will have the primary lead in national program coordination, coordinating with health care providers and regulatory development activities which include revising the worker protection standard and pesticide applicator certification regulations. Headquarters will coordinate with Regions on national program issues and will involve Regions when conducting activities in a particular Region.

EPA will strive to implement and collect improved data related to pesticide worker safety including occupational safety. This information will be used in program management, to meet federal program achievement goals, and in communications with the public. EPA will also begin to collect additional data from field activities such as inspections. Headquarters will utilize national data collection systems to collect occupational pesticide poisoning information, and the Regions will work with our states and tribal partners to develop and implement the data collection systems for the field activities.

Background

One of the Agency's primary goals under its revised Strategic Plan is to assure healthy communities. This includes safety and health in the workplace. A key part of EPA's strategy for achieving its goal is to reduce illness and incidents associated with occupational exposure to pesticides. Based on EPA's risk assessments, people who work with, or around pesticides, face a high potential for pesticide exposure and pesticide-related illness. OPP has made reducing or preventing occupational pesticide exposures and related illnesses one of its highest priorities. An effective pesticide worker safety program which comprehensively addresses pesticide risks in the workplace is essential to accomplishing the Agency's, and thus OPP's, goals. Therefore, for FY 2008, OPP continues to emphasize the need for Regions to work with the states and tribes to focus on pesticide worker safety programs. This emphasis should include establishing stronger linkages between the worker protection program and the pesticide applicator certification and

training (C&T) program. When appropriate, Headquarters will work with the Regions to increase outreach to health care providers.

Measures for these programs have been developed through a process with the Regions, States, Tribes, and other stakeholders. The measures are intended to provide direction for program improvement, and to describe progress in meeting the Agency goals and objectives. These measures, which are included in the Table below, will be implemented beginning in 2008. In addition, the table below includes the Pesticide State Grant template measure, “Number of state grant dollars per pesticide applicator certification” under **Sub-objective 4.1.3: Protect Human Health from Pesticide Risk**: Through 2011, protect human health by implementing our statutes and taking regulatory actions to ensure pesticides continue to be safe and available when used in accordance with the label. The certification of applicators that use the most hazardous pesticides helps assure that these applicators will have the level of competence needed to handle and apply these pesticides with the minimum risk to human health and the environment. It is our first line of risk mitigation for some of the most hazardous pesticides on the market. Please note, the Regions will not be expected to enter this data into the ACS system. This data will be obtained from the States as part of the Certification Program’s requirements established in 40 CFR 171(d). OPP will use the information submitted by the states to calculate this measure and enter the results into the ACS system.

There are a number of important caveats to the Pesticide State Grant template measure that are noted following the table below, an important one being that this measure is not an efficiency measure (i.e., there is no expectation of improved efficiency unless you consider inflation and increased State costs).

Proposed Measures of Success

G/O/S	ACS Code	Regional Measure	Unit of Measure	Comment
4.1.3	WP1	Number of Region-specific projects or initiatives contributing to the implementation and enhancement of the worker protection (WPS) field program, and the protection of agricultural pesticide workers.	Projects or initiatives	Minimum of one per Region in FY 2008
4.1.3	CT1	Number of Region-specific projects or initiatives contributing to the implementation and enhancement of the C&T field program, and the improved competency of certified pesticide applicators.	Projects or initiatives	Minimum of one per Region in FY 2008

4.1.3	26	Number of state grant dollars per pesticide applicator certification.*	Dollars	Baseline and targets are zero because this is the first year we are implementing this measure. We will use FY 07 to develop baseline.
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***Caveats to Measure:**

- The Federal Contribution to pesticide worker certification is only a small percent of the total cost of certification. The State contribution varies.
- This measure Not an efficiency measure (no expectation of improved efficiency unless you consider inflation and increased State costs).
- Different levels of Ag production, geographic distance, can affect cost.
- Does not consider quality of service delivery.
- States have varying categories of certification. This affects cost.
- While requirements for commercial applicators are fairly consistent across States, States have different requirements for Private Applicators.
- Costs to obtain certifications vary by State. This may affect the number of people who pursue Certification.
- There are varying state requirements for who has to get certified in each state, especially for commercial applicator certification, so the total number of applicators requiring certification in each state varies depending on state laws and regulations. The total number of certified applicators per state is not based on or related to federal certification requirements or funding.

Proposed Principal Activities for the Regions

Regions should assure appropriate implementation of pesticide worker safety programs by States and/or Tribes in their Regions. This includes assuring States/Tribes follow National Cooperative Agreement Guidance, making appropriate commitments in their work plans and meeting these commitments. In addition, the Region will report, according to the agreed upon format, all relevant activities.

Regions should assure that all States/Tribes in the Region submit complete C&T accomplishment reporting information, as required by 40 CFR Part 171.7(d), to EPA/HQ/OPP/CWPB via the Certification Plan & Reporting database (CPARD). Regions must assure that all States/Tribes enter the required reporting information into the C&T State Plan and Reporting database system by the end of the first quarter of the federal fiscal year.

Regions should assure that all States and Tribes, as applicable, maintain updated Plans for Certification of Pesticide Applicators (Plans). The Plans must comply with 40 CFR Part 171. Regions must assure that all States/Tribes have entered their complete Plans into the CPARD system; and they must assure States/Tribes maintain those Plans by annually updating the Plans

in the CPARD system and entering all applicable information into the CPARD system about any modifications that were made to the Plans during the annual reporting period.

Regions must carry out at least two Region-specific projects or initiatives that contribute to the implementation and enhancement of the worker safety field programs. One project or initiative must be related to the WPS program and one must be related to the C&T program. The goal of the projects should be to enhance the protection of agricultural pesticide workers and the competency of certified pesticide applicators. The projects may entail outreach/education, compliance assistance, stakeholder coordination, program evaluation, state or tribal program capacity building, or other similar project/initiatives that may lead to enhancement of the program.

EPA is initiating the revision of the worker protection standard and pesticide applicator certification regulations (40 CFR Parts 170 and 171), and will be carrying out a variety of efforts and activities related to the revisions of these regulations. Regions will have the opportunity to participate in this process. Regions should assure they stay abreast of the regulatory development process and communicate with States and Tribes and other regional program stakeholders about the status of the process, providing information to these entities about the process as needed when it is updated and made available. Regions should encourage States and Tribes and other regional program stakeholders to stay engaged and participate in the regulatory development process and provide information and feedback to EPA as appropriate.

Regions should encourage the States and Tribes to adopt Certification and Training Assessment Group (CTAG) recommendations, including at a minimum the adoption of the National Core Manual & Exam and the minimum age requirements for certification of applicators. Other recommendations may also be forthcoming. After notification by Headquarters of the recommendations, the Regions will work with states and tribes to encourage their implementation. Updated information on CTAG can be found at <http://pep.wsu.edu/ctag/>.

Regions should support the measures implementation process by working with their States and Tribes in developing the information for the measures. The measures are critical to program management and refinement as well as for addressing the needs of and communicating with the Office of Management and Budget, partners, stakeholders and the general public.

PESTICIDE CONTAINER/CONTAINMENT IMPLEMENTATION

Strategic Target

Sub-objective 4.1.3: Protect Human Health from Pesticide Risk. Through 2011, protect human health by implementing our statutes and taking regulatory actions to ensure pesticides continue to be safe and available when used in accordance with the label.

Three-year strategy

EPA will help prepare states and the regulated community to come into compliance with the new regulations. The Regions will work with states so that they can carry out an adequate program to ensure compliance with the rule.

Background

Implementation of the container-containment rule is a subset of the Agency's Strategic Plan goal (4) Sub-objective 4.1.3: Protect Human Health from Pesticide Risk. The rule was promulgated on August 16, 2006, to minimize human exposure while handling containers; facilitate safe container disposal and recycling; protect the environment from pesticide releases at bulk storage sites and from spills and leaks at refilling and dispensing operations. Implementation and compliance with the rule will contribute to healthy communities by minimizing human exposure, making the workplace safe and protecting the environment. The Office of Pesticide Programs (OPP) has made implementation of this rule a priority. Therefore, this guidance will emphasize Headquarters and Regional activities to help prepare state partners for implementation. Measures for this rule have yet to be developed. Additional information on the rule can be found at <http://epa.gov/pesticides/regulating/containers.htm>

Proposed Measures of Success

G/O/S	ACS Code	Regional Measure	Unit of Measure	Comments
4.1.3	CR3	Increase the state's ability to ensure compliance with the residue removal requirements.	State submissions	
4.1.3	CR2	Increase the state's ability to ensure compliance with containment requirements.	Number of states	
4.1.3	CR1	Increase knowledge of the rule requirements among states, retailers, refillers, commercial pesticide applicators, custom blenders, and pesticide users.	Meetings, presentations, conference calls, other venues	

Proposed Principal Activities for the Regions

- 1) Regions should facilitate implementation of the container-containment rule. This includes assuring that states follow National Cooperative Agreement Guidance, making appropriate commitments in their work plans, and meeting these commitments. Regions should report all relevant activities.
- 2) Regions, in consultation with Headquarters, should review state letters indicating their ability to carry out an adequate program to ensure compliance with the residue removal

requirements in the rule. States will submit information on their residue removal compliance programs to the Regions by the end of FY 2007. By August 2008, Regions must make the determination that state residue removal compliance programs are adequate.

- 3) Regions should facilitate Headquarter's review of the 21 sets of existing state containment regulations through communication with the state and Headquarters. States must submit letters and documentation by August 16, 2007 if the State wants to continue implementing State containment regulations in lieu of the federal containment requirements.
- 4) Regions should work with Headquarters and states to determine how States, that do not have state containment regulations, will enforce the federal regulations. Compliance is required with the federal containment regulations by August 2009.
- 5) Regions should facilitate state outreach and education to the regulated community. This involves providing outreach materials provided by Headquarters, and sharing state implementation questions with Headquarters. Headquarters will develop fact sheets, standard presentations, How to Comply Guides (including compliance checklists) and Q&As. Registrants, pesticide users, agricultural retailers, agricultural commercial applicators, and agricultural custom blenders must comply with the nonrefillable container standards, label and containment requirements as of August 16, 2009. Registrants and refillers must comply with refillable and repackaging requirements of the container standards as of August 17, 2011. Headquarters will conduct the outreach to registrants.

PESTICIDES & ENDANGERED SPECIES

Strategic Plan Target

Pesticides and endangered species continue to be one of OPP's regional performance priorities. The strategic target for fiscal 2008 is to support EPA's strategic plan Sub-objective 4.1.4: Protect the Environment from Pesticide Risk. Through 2011, protect the environment by implementing our statutes and taking regulatory actions to ensure pesticides continue to be safe and available when used in accordance with the label.

Strategy

EPA has collaborated with FWS and the National Marine Fisheries Service (known jointly as the Services), USDA, states, tribes and stakeholders to improve our efforts to protect federally listed, threatened and endangered species (listed or endangered species) and their designated critical habitat, while at the same time, not placing unnecessary burden on agriculture and other pesticide users. Under EPA's Endangered Species Protection Program (ESPP, or the Program), EPA will continue to incorporate listed species concerns into its routine processes of registration, re-registration and registration review. EPA will also continue its efforts to provide technical assistance, outreach and education to partners, pesticide applicators and the general

public. A particular emphasis will be on training pesticide use inspectors about EPA's processes for protecting listed species and their critical habitat.

Background

The dual goals of the ESPP are to carry out EPA's responsibilities under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) in compliance with the Endangered Species Act (ESA), while at the same time not placing unnecessary burden on agriculture and other pesticide users.

The ESPP was created in response to federal agency obligations found in Sec. 7 (a) (1) and Sec. 7 (a) (2) of the ESA. Under ESA Sec. 7 (a) (2), EPA must ensure that its actions (e.g., pesticide registrations) are not likely to jeopardize the continued existence of any listed species and that the critical habitat upon which they depend is not destroyed or adversely modified. To meet this requirement, OPP performs risks assessments leading to an "effects determination," which may or may not result in consultation with the Services. Most of the assessment and consultation processes are performed at EPA headquarters in Washington, D.C., following EPA's Overview Document. Under ESA Sec. 7 (a) (1), EPA must use its authorities to carry out programs for the conservation of listed species. Unlike the assessment and consultation processes, many activities implementing the protection activities of the ESPP occur at the regional, state and tribal level.

Because the ESPP is a new approach to pesticide regulation, and because it serves to implement a statute administered by other federal agencies (ESA), there is a need for flexibility in both how we measure success and the steps we undertake to ensure success. The sections below on *Proposed Measures of Success* and *Proposed Principle Activities for the Regions* are intended to be a guide that will be adjusted and improved upon over time, as EPA and its stakeholders gain experience with the ESPP, to ensure that we are operating the Program in a sound, effective manner.

During fiscal year 2008, the field implementation aspects of the Program will continue to focus on these overarching areas: technical assistance, coordination, education, training and outreach. In addition, during FY 2008, OECA will begin collecting inspection-related information to establish a baseline picture of compliance with FIFRA-enforceable Endangered Species Protection Bulletins (Bulletins); therefore, additional emphasis must be placed on educating pesticide inspectors about the Bulletins. Enforcement activities as appropriate will be carried out.

Bulletins are the cornerstone of implementing the ESPP in the field. If, as a result of EPA's review of a pesticide, or as a result of consultation with the Services, geographically specific use limitations are necessary to ensure a pesticide registration complies with the ESA and FIFRA, those use limitations will be relayed to pesticide users through Bulletins referenced on the labels of affected pesticide products. Bulletins will become FIFRA-enforceable use requirements once they are referenced on the pesticide label.

Bulletin production and their web-based distribution are EPA headquarters-based activities. Technical assistance, coordination, education, training and outreach for Bulletins and, indeed, for the entire Program, rely heavily on the collaboration of EPA headquarters, regions, states and tribes. If EPA headquarters proposes geographically specific pesticide use limitations to protect a listed species or critical habitat, those limitations will be available for public comment during OPP's routine FIFRA processes. States and tribes may also be afforded another opportunity for review prior to finalization of the use limitations and issuance of a Bulletin. EPA regions will provide technical assistance during development of such limitations and coordinate comments from their states or tribes at the appropriate times. This may include providing information to EPA headquarters on pesticide use patterns or species locations, reviewing draft maps for accuracy, and reviewing proposed pesticide use limitations for feasibility. EPA headquarters will assist the regions and provide outreach materials to facilitate these activities through a national partners' workshop and continued collaboration on endangered species-related activities.

Additional information on the Endangered Species Protection Program can be found at <http://www.epa.gov/espp>.

Proposed Measures of Success

G/O/S	ACS Code	Regional Measure	Unit of Measure	Comments
4.1.4	3A	Increase state, tribal, territory, and public knowledge of the Endangered Species Protection Program	Meetings, presentations, conference calls, other venues	Primary goal in FY08 is to provide technical assistance, outreach and education to partners, pesticide applicators & the general public.

Proposed Principal Activities for the Regions

- 1) Regions will provide communication, coordination, education, and technical expertise to states, tribes, and other stakeholders about EPA's processes for protecting listed species and their critical habitat.
- 2) Regions will provide education and technical expertise to pesticide use inspectors about EPA's processes for protecting listed species and their critical habitat. Educational topics should include how to read Bulletins; how to access historic Bulletins for purposes of inspections; familiarity with local Bulletins and the species addressed in them; and the goals

of the Program; i.e., to protect listed species from possible harm due to pesticide use, while at the same time, not placing unnecessary burden on agriculture or other pesticide users.

- 3) When appropriate, Regions will coordinate comments from states and tribes on Bulletin development and review. This may include providing information to EPA headquarters on pesticide use patterns or species locations, reviewing draft maps for accuracy, and reviewing proposed pesticide use limitations for feasibility.
- 4) Regions will negotiate endangered species activities with their States consistent with grant guidance and will provide grant and program oversight. The FY 2008 End of Year (EOY) report, which will include any reportable progress on measures development by States/Tribes, and will include the endangered species checklist, is due to OPP by February 28, 2009.
- 5) Regions will contribute their unique expertise to the development, implementation, and communication of success measurement tools and additional program guidance documents.
- 6) Where appropriate, Regional endangered species contacts will coordinate within Regional offices and other federal agencies, especially the Services.

PESTICIDES AND WATER RESOURCE PROTECTION

Strategic Plan Target

Protect public health and the environment by assessing, managing, and reducing the risks from pesticide use in cooperation with other water quality management agencies. As set out in EPA's 2006-2011 Strategic Plan (September 2006), sub-objective 4.1.4. contains two targets:

- By 2011, reduce the percentage of urban watersheds that exceed the National Pesticide Program aquatic life benchmarks for diazinon, chlorpyrifos, and malathion. (The 1992-2001 baselines as a percentage of urban watersheds sampled that exceeded benchmarks are: diazinon 40%, chlorpyrifos 37%, and malathion 30%.)
- By 2011, reduce the percentage of agricultural watersheds that exceed EPA aquatic life benchmarks for azinphos-methyl and chlorpyrifos. (Based on 1992-2001 data, 18% of agricultural watersheds sampled exceeded benchmarks.)

Strategy

EPA will protect water resources from pesticide contamination. EPA, States, and Tribes will identify and manage adverse effects to water resources from registered pesticides. The Office of Pesticide Programs (OPP), the Office of Water, and Regions will collaborate to identify and manage the risk of pesticide use to water resources. OPP will use State and Tribal water

monitoring data in the pesticide registration and registration review process. The NPM measure is intended to reflect the effort of States and Tribes to manage pesticides of concern in such a way that they can demonstrate progress, in the future, in returning concentrations in the environment to or below water quality reference points. This directly supports the three-step national water quality measure.

Background

Goal 4 is Healthy Communities and Ecosystems. Protection of water resources from pesticides addresses this goal. Under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA registers pesticides and sets conditions for their use. These conditions can include requirements to protect water resources. EPA also provides funding to States and Tribes to protect water resources from pesticides.

Additional information can be found at <http://www.epa.gov/pesticides/health/safely.htm>

Proposed Measures of Success

G/O/S	ACS Code	Regional Measure	Unit of Measure	Comment
4.1.4	WQ1	Number of evaluated pesticides of concern that have been placed under State or Tribal Program management due to their propensity to approach or exceed national water quality standards or other human health or ecological reference points.	Number of pesticides *	

*This measure needs to be a reporting measure because regions cannot commit states to a specific number of pesticides managed prior to completion of cooperative agreement workplan negotiations

Principal Activities for the Regions

- 1) Regions will negotiate annual State and Tribal water quality commitments consistent with FIFRA Cooperative Agreement Guidance and will provide annual grant and program oversight.
- 2) Regional Pesticide Offices will consult as needed with Regional Water Offices, OPP, and State and Tribal pesticide and water agencies to ensure that appropriate water quality pesticides of interest are identified by the State/Tribe.
- 3) Regions will assist State and Tribal pesticide and water quality management agencies to develop programs to manage pesticides of concern that are derived from pesticides of interest evaluations i.e., those that have a high potential to threaten water quality standards.

- 4) Regions will work with State and Tribal pesticide agencies to assess current State and Tribal program progress on meeting work plan water quality commitments. Regions will support States and Tribes on reporting the national water quality measures data, and any water quality monitoring data to OPP. The FY 2008 end-of-year report, which will include any reportable progress on the national water quality measures and management program capability, is due to OPP by February 28th, 2009.
- 5) Where appropriate, Regions may review and provide comment on initial and updated State and Tribal Pesticide Management Plans.
- 6) Regions are encouraged to support the EPA pesticide registration review process through the collection and submission of State water quality monitoring data, including data on CWA § 303(d) listed waters due to pesticide impairments.

Proposed Activities for Headquarters to support Regional Activities

To be successful, Regions will require support from OPP as well as OW. OW should request Regional water programs to collaborate with Regional pesticide programs on activities such as reporting any water quality data on waters impaired due to pesticides. Joint Regional activities will help OW meet Sub-objective 2.2.1: Improve Water Quality on a Watershed Basis.

OPP will complete an operational database of the end-of-year reporting on active ingredients which States and Tribes evaluated and managed. This database will be accessible by States and Tribes to facilitate sharing of information nationwide. As requested, OPP will provide toxicology information upon which States and Tribes can base their risk evaluation of pesticides of interest or set State and Tribal regulatory standards for pesticides of concern.

STRATEGIC AGRICULTURE INITIATIVE (SAI)

Strategic Plan Target

- OPP's Strategic Agricultural Initiative (SAI) continues to be a regional and HQ priority program. SAI operates in support of EPA's Strategic Plan Sub-objective 4.1.5: Realize the Value from Pesticide Availability -- through 2011, ensure the public health and socio-economic benefits of pesticide availability and use are achieved.

Strategy

Strategic Agricultural Initiative (SAI) staff will work with U.S. producers to foster 1-3 model agricultural grant projects a year (per Region) that utilize the SAI Transition Gradient. These projects will demonstrate and facilitate the adoption of farm management decisions and practices that provide growers with a "reasonable transition" away from the highest risk pesticides, as mandated by FQPA. Average percent change in the utilization of reduced risk pest

management practices over time per grantee will be determined by regular measurement based on the SAI Transition Gradient.

OPP's Strategic Agricultural Initiative (SAI) Program is fostering transition in the agricultural community to the use of less and reduced risk pesticides, alternative methods of pest control and sustainable practices in food production. On a national basis, the SAI program will implement tech transfer of successful SAI- funded reduced risk projects, mined from the SAI Database.

Background

EPA's Strategic Agricultural Initiative (SAI) began in FY98 with \$1 million and four FTEs as a pilot program in EPA Regions 4, 5, 9, and 10 in response to the Food Quality Protection Act (FQPA). Based on the successful pilots, EPA expanded the program to all ten Regions through a FY2000 budget initiative of \$1 million. The initiative then expanded in FY2001 to 10 FTEs and \$2 million. The OPPTS Acting Assistant Administrator sent guidance on the use of these resources to the Regions in December 2000.

The initiative develops pest management strategies to identify alternatives to harmful pesticides. Through SAI, EPA is promoting model agricultural partnership projects that demonstrate and facilitate the adoption of farm management decisions and practices that provide growers with "a reasonable transition" away from the highest risk pesticides – as designated by FQPA.

Proposed Measures of Success

G/O/S	ACS Code	Regional Measure	Unit of Measure	Comments
4 .1.5	SA1	Average percent change in the utilization of reduced risk pest management practices over time as determined by the SAI Transition Gradient	Percent increase	
4 .1.5	SA2	Number of SAI collaborative actions that support the sustainability of American agriculture by working with others to address pesticide risk issues of Regional and National concern	Events	

NOTE: Regions 8, 9 and 10 have selected these as regional priority measures for the great American West.

Proposed Principal Activities for the Regions

- 1) Have a grant portfolio of projects that utilize the SAI Toolbox (released May 2004) and comply with EPA Order 5700.7 “Environmental Results under EPA Assistance Agreements”. Order 5700.7, which is, now in effect for all SAI grants, requires grantees to report baseline information and establish outcome performance measures.
- 2) Each Region is responsible for completing input of regional grant information into SAI Database immediately upon grant funding. Updates will be made every six months.
- 3) Work with OPP to improve internal/external communication on pesticide issues.
- 4) Create and maintain partnerships with producers and commodity groups.
- 5) Encourage and promote cross-media links to other EPA programs.
- 6) Provide feedback to EPA HQ on Regional pesticide transition issues.
- 7) Cooperate with USDA in the work of the Regional Pest Management Centers, NRCS Technical Committees, and Sustainable Agriculture and Research Education (SARE) program.
- 8) Lead federal National Integrated Pest Management Evaluation Group (NIPMEG) into fourth year of cooperation (group comprises SAI, USDA and federal Canadian IPM agencies.)
- 9) The SAI regional coordinator is responsible for ensuring that the grantees report their first "score" on the SAI Transition Gradient scale before the project started, and their second "score" after the project is completed. The SAI regional coordinators, will then forward these raw scores on the SAI Transition Gradient scale and the percent change for the region to the EPA SAI headquarters coordinator.

Appendix 1: FY 2008 OPPTS Measures

G/O/S	ACS Code	Expected Text	Units	Ntl. Target	1	2	3	4	5	6	7	8	9	10	Total
4.1.3	CR3	Increase the state's ability to ensure compliance with the residue removal requirements.	The number of state submissions	Through 2011, protect human health by implementing our statutes and taking regulatory actions to ensure pesticides continue to be safe and available when used in accordance with the label.	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	
4.1.3	CR2	Increase the state's ability to ensure compliance with containment requirements.	The number of states.	Through 2011, protect human health by implementing our statutes and taking regulatory actions to ensure pesticides continue to be safe and available when used in accordance with the label.	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	
4.1.3	CR1	Increase knowledge of the rule requirements among states, retailers, refillers, commercial pesticide applicators, custom blenders, and pesticide users.	Meetings, presentations, conference calls, other venues	Through 2011, protect human health by implementing our statutes and taking regulatory actions to ensure pesticides continue to be safe and available when used in accordance with the label.	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	
4.1.4	3A	Increase state, tribal, territory, and public knowledge of the Endangered Species Program	Meetings, presentations, conference calls, other venues	Through 2011, protect the environment by implementing our statutes and taking regulatory actions to ensure pesticides continue to be safe and available when used in accordance with the label.	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	

G/O/S	ACS Code	Expected Text	Units	Ntl. Target	1	2	3	4	5	6	7	8	9	10	Total
4.1.4	WQ1	Number of evaluated pesticides of concern that have been placed under State or Tribal Program management due to their propensity to approach or exceed national water quality standards or other human health or ecological reference points. ¹	No. of pesticides ¹	<p>This measure is a reporting measure because regions cannot commit states to a specific number of pesticides managed prior to completion of cooperative agreement workplan negotiations.1. By 2011, reduce the percentage of urban watersheds that exceed the National Pesticide Program aquatic life benchmarks for diazinon, chlorpyrifos, and malathion. (The 1992-2001 baselines as a percentage of urban watersheds sampled that exceeded benchmarks are: diazinon 40%, chlorpyrifos 37%, and malathion 30%.)</p> <p>2. By 2011, reduce the percentage of agricultural watersheds that exceed EPA aquatic life benchmarks for azinphos-methyl and chlorpyrifos. (Based on 1992-2001 data, 18% of agricultural watersheds sampled exceeded benchmarks.)</p>	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	
4.1.5	SA1	Average percent change in the utilization of reduced risk pest management practices over time as determined by the SAI Transition Gradient	Percent Increase	Realize the Value from Pesticide Availability -- through 2011, ensure the public health and socio-economic benefits of pesticide availability and use are achieved. All SAI Projects completed within the current fiscal year will achieve at least a 5% increase on the SAI Transition Gradient scale.	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	
4.1.5	SA2	Number of SAI collaborative actions that support the sustainability of American agriculture by working with others to address pesticide risk issues of Regional and National concern	Events	Realize the Value from Pesticide Availability -- through 2011, ensure the public health and socio-economic benefits of pesticide availability and use are achieved. : The national target is 100 collaborations annually. To achieve this target, each region is responsible for conducting at least 10 collaboration/outreach actions on an annual basis to foster transition.	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	

G/O/S	ACS Code	Expected Text	Units	Ntl. Target	1	2	3	4	5	6	7	8	9	10	Total
4.1.3	WP1	Number of Region-specific projects or initiatives contributing to the implementation and enhancement of the worker protection (WPS) field program, and the protection of agricultural pesticide workers.	Number of region-specific WPS projects or initiatives	<p>Through 2011, protect those occupationally exposed to pesticides by improving upon or maintaining a rate of 3.5 incidents per 100,000 potential risk events. (Baseline: There were 1,385 occupational pesticide incidents in 2003 out of 39,850,000 potential pesticide risk events/year.)</p> <p>By 2011, improve the health of those who work in or around pesticides by reaching a 50 percent targeted reduction in moderate to severe incidents for 6 acutely toxic agricultural pesticides with the highest incident rates: chlorpyrifos, diazinon, malathion, pyrethrins, 2,4-dichlorophenoxy acetic acid (2,4-D), and carbofuran. (Baselines will be determined from the Poison Control Center (PCC) Toxics Exposure Surveillance System (TESS) database for 1999-2003.)</p>	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	
4.1.3	CT1	Number of Region-specific projects or initiatives contributing to the implementation and enhancement of the C&T field program, and the improved competency of certified pesticide applicators.	Number of region-specific C&T projects or initiatives	<p>Through 2011, protect those occupationally exposed to pesticides by improving upon or maintaining a rate of 3.5 incidents per 100,000 potential risk events. (Baseline: There were 1,385 occupational pesticide incidents in 2003 out of 39,850,000 potential pesticide risk events/year.)</p> <p>By 2011, improve the health of those who work in or around pesticides by reaching a 50 percent targeted reduction in moderate to severe incidents for 6 acutely toxic agricultural pesticides with the highest incident rates: chlorpyrifos, diazinon, malathion, pyrethrins, 2,4-dichlorophenoxy acetic acid (2,4-D), and carbofuran. (Baselines will be determined from the Poison Control Center (PCC) Toxics Exposure Surveillance System (TESS) database for 1999-2003.)</p>	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	

G/O/S	ACS Code	Expected Text	Units	Ntl. Target	1	2	3	4	5	6	7	8	9	10	Total
4.1.3	26	Number of state grant dollars per pesticide applicator certification ²	Number of state grant dollars.	Through 2011, protect human health by implementing our statutes and taking regulatory actions to ensure pesticides continue to be safe and available when used in accordance with the label.	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
4.1.1	13A	Annual percentage of viable lead-based paint certification applications that require less than X days of EPA Regional effort to process.	Percent	Through 2008, achieve a Regional percentage equal to or greater x%	TBD ²	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD
4.1.1	13B	Annual percentage of viable lead-based paint certification applications that require less than grantee state established timeframe to process	Percent	Through 2008, achieve a Regional percentage equal to or greater than x%	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD
4.1.1	11A	Number of active individual certifications for lead-based paint activities in the Region	Certifications	Reporting measure. No regional commitment. National target for certifications is x.	N/A ²	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
4.1.1	11B	Number of active individual certifications for lead-based paint activities in the grantee state.	Certifications	Reporting measure. No regional commitment. National target for certifications is x.	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
4.1.1	12	Cumulative number of authorized state and tribal programs for lead-based paint professionals.	States/Tribes	In FY 2008, increase the number of authorized state and tribes to x.	6 ³	2	6	6	7	5	4	3	2	2	43
4.1.1	21	Number of outreach partnerships addressing lead-based paint hazards and exposure reduction.	Partnerships	In FY 2008, create x number of outreach partnerships.	5	1	1	3	6	2	10	2	8	2	40
4.1.1	15	Number of school children attending institutions reached through general toxic fibers education and outreach activities.	Children	In FY 2008, reach x children through education and outreach activities.	####	500	5,000	100,000	18,750	5,000	2,500	500	75,000	#####	2,117,450
5.2.1	264	Pounds of hazardous materials reduced by P2 program participants.	Pounds	In FY 2008, reduce pounds of hazardous materials by 37 million pounds in regions.	####	135,000	#####	1,000,000	#####	5,000,000	88,000	####	711,240	233,000	11,720,234

G/O/S	ACS Code	Expected Text	Units	Ntl. Target	1	2	3	4	5	6	7	8	9	10	Total
5.2.1	264A	Annual pounds of other pollutants reduced by P2 program participants.	Pounds	Reporting measure. No regional commitment.	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
5.2.1	263	Business, institutional, and government costs saved through P2 program participants.	Dollars	In FY 2008, reduce costs by 15 million dollars in regions.	####	200,000	918,800	2,000,000	800,000	5,000,000	#####	####	261,525	#####	15,232,075
5.2.1	262	Gallons of water reduced by P2 program participants.	Gallons	In 2008, reduce water use by 273 million gallons in Regions	####	500,000	#####	500,000	#####	1,000,000	#####	####	379,000	#####	272,655,000
5.2.1	261A	Annual megawatts of energy reduced conserved or offset by P2 program participants.	Megawatts	Reporting measure. No regional commitment.	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
5.2.1	261	BTUs of energy reduced, conserved, or offset by P2 program participants.	Billions of BTUs	In FY 2008, reduce, conserve or offset 0.561 Billion of BTUs in regions.	4.10	64	190	0	0.10	25	72.60	0.04	7.00	49.98	413
4.1	Q6	Pesticide Registration Improvement Act: Applications Received, Completed, and Pending at end of Quarter. ⁴	Applications Completed		N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
4.1	Q7	Pipeline for Reviewing Registered Pesticides. ⁴	Review		N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
4.1	248	Percentage of HPV chemicals identified as priority concerns through assessment of Screening Information Data Sets (SIDS) and other information with risks eliminated or effectively managed. ⁴	% of HPV Chemicals	100% of HPV Chemicals	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
4.1	257	Cumulative number of (Endocrine Disruptor) assays that have been validated. ⁴	Assays	In 2008, review 13/20 assays.	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Total Number of Regional ACS Measures for OPPTS=23 (13 for OPPT and 10 for OPP)

1 TBD represents a new measure for FY 2008. Further discussions are needed to generate targets.

2 N/A represents fields for reporting measures which require no Regional targets or commitments.

3 Numbers represent DRAFT FY 2008 targets and are FY 2007 targets. These numbers represent a starting point in discussions to create FY 2008 Targets

4 NOT a Regional measure; EPA Headquarter measure only.

Appendix 2: FY 2008 OPPTS State Grant Template Measures

Toxics Program State Grant Template

Performance Measure Template for State Grant Workplans								
Code	Outcome/ Output Measure	2007 National Baseline	2007 National Target	2007 State Baseline	2008 State Measurement	Measurement Period or Date	Source of Data (ACS Code #)	Comments
GOAL 4 - HEALTHY COMMUNITIES AND ECOSYSTEMS								
<i>Protect, sustain, or restore the health of people, communities, and ecosystems using integrated and comprehensive approaches and partnerships.</i> (in the EPA Strategic Plan)								
Objective 4.1: Chemical and Pesticide Risks. By 2011, prevent and reduce pesticide and industrial chemical risks to humans, communities, and ecosystems.								
Sub-objective 4.1.1: Reduce Chemical Risks. By 2011, prevent and reduce chemical risks to humans, communities, and ecosystems.								
Strategic Targets: By 2010, eliminate childhood lead poisoning as a public health concern by reducing to 0 the number of cases of children (aged 1-5 years) with elevated blood lead levels (>10ug/dl); By 2010, reduce to 28 percent the percent difference in the geometric mean blood lead level in low-income children 1-5 years old as compared to the geometric mean for non-low-income children 1-5 years old.								
Program Measures								
13B	Annual Percentage of viable lead based paint certification applications that require less than grantee state established timeframes to process.						Grantee Reports	Baseline and targets are zero because this is the first year we are implementing this measure. We will use FY XX**** to develop baseline.

Caveats to the Measure:

* Relates to ACS reporting measure: number of certifications in grantee states.

** The State Established Timeframe is TBD.

*** This timeframe does/does not count in the PART established 40 days of EPA processing time.

**** The baseline will be established in UNDER NEGOTIATION.

Pesticides Program State Grant Template

Performance Measure Template for State Grant Workplans								
Code	Outcome/ Output Measure	2007 National Baseline	2007 National Target	2007 State Baseline	2008 State Measurement	Measurement Period or Date	Source of Data (ACS Code #)	Comments
GOAL 4 - HEALTHY COMMUNITIES AND ECOSYSTEMS <i>Protect, sustain, or restore the health of people, communities, and ecosystems using integrated and comprehensive approaches and partnerships.</i> (in the EPA Strategic Plan)								
Objective 4.1: Chemical and Pesticide Risks. By 2011, prevent and reduce pesticide and industrial chemical risks to humans, communities, and ecosystems.								
Sub-objective 4.1.3: Protect Human Health from Pesticide Risk. Through 2011, protect human health by implementing our statutes and taking regulatory actions to ensure pesticides continue to be safe and available when used in accordance with the label.								
Strategic Targets								
Program Measures								
26	Number of state grant dollars per pesticide applicator certification.*	0	0			FY 2008	Certified Applicator Database	<p>The certification of applicators who use the most hazardous pesticides helps assure that these applicators will have the level of competence needed to handle and apply these pesticides with the minimum risk to human health and the environment. It is our first line of risk mitigation for some of the most hazardous pesticides on the market.</p> <p>Baseline and targets are zero because this is the first year we are implementing this measure. We will use FY 07 to develop baseline.</p>

***Caveats to Measure:**

- The Federal Contribution to pesticide worker certification is only a small percent of the total cost of certification. The State contribution varies.
- This measure Not an efficiency measure (no expectation of improved efficiency unless you consider inflation and increased State costs).
- Different levels of Ag production, geographic distance, can affect cost.
- Does not consider quality of service delivery.
- States have varying categories of certification. This affects cost.
- While requirements for commercial applicators are fairly consistent across States, States have different requirements for Private Applicators.

- Costs to obtain certifications vary by State. This may affect the number of people who pursue Certification.
- There are varying state requirements for who has to get certified in each state, especially for commercial applicator certification, so the total number of applicators requiring certification in each state varies depending on state laws and regulations. The total number of certified applicators per state is not based on or related to federal certification requirements or funding.

Appendix 3: FY 2008 Burden Reduction and Measures Streamlining

The following is a summary of comments received from states and Regions during the FY 2008 formulation process and program responses:

Response to Burden Reduction Initiative-State Comments

Reporting Requirement	State Recommendation	States	Regional Comments	Program Comments
Asbestos Data Report	Eliminate (inadequately funded by EPA)	SC	R4 agrees; ACT/NARS has been discontinued and report is done through Section 105 grants	This is not under OPPT's purview. This is under OECA and is an enforcement issue.
Pollution Prevention Semi-Annual Reports	Change reporting to once at the end of the grant period	FL, NH	Regional Comments on State Proposals not received	Semi-annual reporting is important because it keeps EPA's Project Officer aware of the activities completed under the grant agreement. Further review of the first semi-annual grant report is needed before any approval/potential revisions can be given for this request
TSCA Monitoring Cooperative Agreement	EPA should roll this small (\$54K) grant into larger grant	KY	Regional Comments on State Proposals not received	This is not under OPPT's purview. This is under OECA and is an enforcement issue.
Lead, Asbestos, P2 grant applications	Treat as a core program – grants should not be awarded competitively	UT	Regional Comments on State Proposals not received	<i>Lead:</i> Grant competition for Lead is an integral part of OPPT's effort to focus attention and its limited resources on the most effective efforts to reach the most vulnerable populations. Some lead grants issued under TSCA Section 404(g) are exempt from the Agency's competition policy and are awarded on a formula and the judgement of the Regional office granting the award. <i>P2:</i> P2 is not set up as a block grant program. The P2 grant are set up to be awarded competitively . <i>Asbestos:</i> OPPT does not award grants for asbestos.
Pesticides in Water Quality	Modify to improve effectiveness thru direct correlation (see form)	NY	R2 agrees	OPP has changed this measure for '07 to better support the measures

Reporting Requirement	State Recommendation	States	Regional Comments	Program Comments
				developed in partnership with the States. The change has been to focus on reporting rather than delineating a target in order to reduce the burden to the States.
4A Worker Safety Measures	EPA guidance states that EPA will not ask states for data regarding measures WS1 – WS5. Guidance should be extended until funding is provided and the value of information is better assessed.	NY	R2 agrees	The '07 measures rely on data from the Regions; the States are not required to provide data to support these measures.

Response to Burden Reduction Initiative-Regional Comments

ACS Code and Measure	Regional Rec.	Comment	HQ Response
11A: Number of active individual certifications for lead-based paint activities issued by EPA and authorized states, tribes, and territories in the Region.	Modify	Region 2 agrees with OPPT that these two measures should be retained as separate measures (rather than combined into single measure). Measures should be redefined to capture inventories of active individual certifications at points in time, rather than capturing workloads (certifications and re-certifications issued during the reporting period), in part because tracking inventories is more outcome oriented than tracking workloads. However, Region 2 disagrees with OPPT and other regions that these two certification measures should be classified as commitment measures. Region 2 and its grantee states certify all qualified applicants and have no control over the number of applications we receive. Therefore we believe these two certification measures should both be for reporting only.	HQ Agreed to modify the measure language for 11A and 11B and make them both reporting measures for FY 2008.
11B: Number of active individual certifications for lead-based paint activities issued by grantees.	Modify	Region 5 recommends retaining the measure of certifications as a reporting measure, but not as a target or commitment measure since neither the Regions nor the States have any control on the numbers of certifications. Region 5 does support the measure(s) for reporting purposes because it gives us good information that we can use for management purposes. Our opposition is to using the measure for targeting levels and being accountable for measures over which we have no control. (see attached word document for full response)	HQ Agreed to modify the measure language for 11A and 11B and make them both reporting measures for FY 2008.

ACS Code and Measure	Regional Rec.	Comment	HQ Response
16: Number of partnerships established with hospitals and other health facilities to reduce Mercury in waste streams (H2E) program	Delete	Region 2 agrees with OPPT and other regions to transfer the mercury partnership measure for H2E from the Mercury Program to the Pollution Prevention Program within OPPTS	HQ agreed to delete the measure for FY 2008.
16: see above	Delete	Region 8: This should be deleted in favor of keeping #23 as the measure for the number of new partnerships. It is most efficient to measure this at the Headquarters level via #23.	HQ agreed to delete the measure for FY 2008.
22: Number of H2E partners who have won the "Regions making medicine mercury free award" in FY 2006	Delete	Region 2 agrees with OPPT and other regions to delete the "awards" measure for H2E	HQ agreed to delete the measure for FY 2008.
22: Number of H2E partners who have won the "Regions making medicine mercury free award" in FY 2006	Delete	Region 8: This should also be tracked at the Headquarters level because the data are compiled at that level. Otherwise this, too, would be a "reporting on reporting" measure. The award in question is not a Regional award.	HQ agreed to delete the measure for FY 2008.
22: see above	Delete	Region 9	HQ agreed to delete the measure for FY 2008.
23: Number of new partnerships aimed at reducing mercury in the waste stream	Modify or Delete	Region 8: The NPM guidance will have to carefully define the terminology for this measure. The proximity and meaning of the words "new product partnerships" is vague and confusing. Does the measure seek to quantify "new partnerships" partnerships that address mercury, "new products" or only "new partnerships that aim to reduce the contributions of new products" to the amount of mercury in the waste stream? Is this a step backwards from the 2006 ACS measure 18, which at least quantified the number of pounds of mercury eliminated by sectors other than H2E participants? #23 seems more like an intermediate outcome, whereas #18 seems more like a long-term outcome of the type that OMB seems to encourage agencies to strive for.	HQ agreed to delete the measure for FY 2008.
23: see above	Delete	Region 2 agrees with OPPT and other regions to eliminate the mercury partnerships (non-H2E) measure	HQ agreed to delete the measure for FY 2008.
23: see above	Delete	Region 9	HQ agreed to delete the measure for FY 2008.

ACS Code and Measure	Regional Rec.	Comment	HQ Response
19A: Develop a network among at least 5 organizations (i.e. state agencies, chemical manufactures) and encourage familiarity with the HPV Information System	Delete	Region 8: This should be a Headquarters measure. Regions do not receive resources to support the measure, and it is a poor measure of progress toward an outcome that is worth achieving.	HQ agreed to delete the measure for FY 2008.
19A: see above	Delete	Region 2: agrees with OPPT and other regions to delete the HPV measure	HQ agreed to delete the measure for FY 2008.
13, 13A, 14A PCB measures	Delete	Region 2 agrees with OPPT and other regions to delete the three PCB measures due to transfer of resources to OSWER. However, if the resource transfer does not occur, we recommend maintaining these measures under OPPTS.	HQ agreed to delete the measure for FY 2008.
24 Megawatts of energy used, reduced, conserved, or offset	Modify	Region 2: agrees with OPPT and other regions to convert the Pollution Prevention megawatts measure to a reporting measure (instead of commitment measure)	HQ agreed to shift this measure to a reporting measure.
24 Megawatts of energy used, reduced, conserved, or offset	Modify	Region 8: It should be made clear that this is a reporting measure, not a commitment or accountability measure at this time.	HQ agreed to shift this measure to a reporting measure.
235 Dollars saved through pollution prevention efforts. Dis-aggregate of Agency Strategic Target	Modify	Region 8: The second sentence in this measure should be deleted because it is confusing and difficult to track. Instead, it can be addressed in the process of establishing the NPM guidance and GPRA goals for pollution prevention.	HQ (will address this issue. This language has been deleted for other P2 measures)
234A: Pounds of hazardous materials (to air, water, and land) reduced or avoided through P2 efforts	Modify	Region 8: The term “hazardous materials” should be replaced by “hazardous pollutants”.	HQ (currently is aligning ACS measure language with FY 2008 President's Budget and PART language The PART measure reads hazardous materials.)
234B: Pounds of non-hazardous materials (to air, water, and land) reduced or avoided through P2 efforts	Modify	Region 2: Region 2 agrees with OPPT and other regions to convert the “Other Pollutants” (formerly “non-hazardous”) measure to a reporting measure (instead of commitment measure)	HQ agreed to shift this measure to a reporting measure.
234B: see above	Modify	Region 8: The term “non-hazardous materials” should be replaced by “non-hazardous pollutants,” and it should be made clear that this is a reporting measure, not a commitment or accountability measure at this time.	HQ agreed to shift this measure to a reporting measure.

ACS Code and Measure	Regional Rec.	Comment	HQ Response
10A: Number of State and Tribal pesticide agencies meeting water quality commitments, which include the national water quality measures and end-of-year reporting on active ingredients being evaluated, and managed.	Modify	<p>New York: Needs to be modified to be more effective. Some management strategies for water and groundwater may take years to have a measurable effect.</p> <p>An equation using pesticides managed and demonstrated reduction of concentration, with the intervening time large (years) is not realistic.</p> <p>The measure should be modified to make a more direct correlation</p> <p>In addition, if the measure is intended for the pesticides program cooperative agreement only, it should be modified to reflect activities within the scope of the program mission and funding.</p>	<p>This measure was developed in large part by States to be as effective as possible given resource constraints.</p> <p>In developing this measure, it was recognized that such changes do not take place in a matter of months, but in terms of years. The idea of this measurement is to track trends in water quality improvements with regards to key pesticides.</p> <p>The focus of this measure is on key pesticides; therefore, it is within the scope of the National Pesticide Program. We would also like to note that this measure was generated in cooperation with EPA's Office of Water.</p>
4A: For all States and/or Tribes in the Region, assuring appropriate implementation of pesticide worker safety programs that meet national program commitments as established in National Pesticide Cooperative Agreement Guidance. This includes assuring that all reports required by the Cooperative Agreement Guidance for the support of national program and performance measures are submitted to HQ/OPP/CWPB.	Modify	<p>EPA guidance says that it will not ask the states for data for measures WS1 through WS5 [because funding was not made available to implement the measure]. This guidance should be extended into subsequent years until funding is provided and the potential value of the information is better assessed.</p>	<p>It is EPA's intent to ensure that measures balance the need for information with resources available. The guidance will address the issue for each pertinent year.</p>

Appendix 4: FY 2008 Key Milestones for Commitment Development and Implementation

Key Milestones for the Negotiation and Agreement of FY 2008 Performance Commitments	
March – June 29, 2007	Regions engage NPMs, states and tribes in determining FY 2008 draft regional performance commitments
April 27, 2007	Text of FY 2008 commitments finalized in the ACS; commitment measures opened for bidding
July 9, 2007	FY 2008 draft regional performance commitments due in the ACS
July 9 – September, 2007	Regions continue to engage NPMs, states and tribes in determining FY 2008 regional performance commitments
July 16, 2007	FY 2008 draft annual regional commitments are posted on EPA Quickplace site
September 21, 2007	FY 2008 final commitment information due in the ACS
September 28, 2007	NPMs and regions notify OCFO of any outstanding issues for dispute resolution
October 8, 2007	NPMs and regions reach agreement in the ACS on FY 2008 performance commitments
October 12, 2007	FY 2008 final commitments (for which agreement was reached) are posted on EPA Quickplace
October 31, 2007	FY 2008 Commitments are locked out in the ACS to prevent any adjustments